

Small Business **The Advocate**

For and about small businesses affected by environmental regulations

PD-006/96-3

Volume I, Issue 3 / Summer 1996

WHAT'S INSIDE:

- TNRCC Offers Amnesty
- Cheaper Way to Spray Paint Vehicles
- Keeping Language Simple
- Regulatory Update
- Remote Sensing Finds Polluting Vehicles
- Small Business Assistance Hotline
- Dates to Remember

TNRCC Offers Amnesty to Wood Products Manufacturers

Many small-business owners in Texas who were either unaware of environmental laws or afraid to ask for more information now have the opportunity to come into compliance without fear of penalties, thanks to an amnesty program offered by the Texas Natural Resource Conservation Commission (TNRCC).

The program, which runs through December 31, 1996, includes businesses that manufacture or restore wood

furniture, cabinets, and other products. Many of these shops are currently out of compliance simply because they do not know about laws that apply to them. The TNRCC is targeting outreach efforts to this group with seminars, one-on-one technical assistance, and brochures.

Amnesty has been favorably received by many in the industry.

"I breathe the air and drink the water in this community, so, of course, I want to do what's right," said Pete Kegg, general

manager of Mainland Industries Woodshop in San Leon. "If the TNRCC can show us a better way to be better neighbors, we're interested."

The amnesty program gives business owners the peace of mind that they will avoid fines, now and in the future. The TNRCC has also suspended inspections of woodworking businesses during the amnesty period, except in response to citizen complaints.

"This program provides assistance and flexibility to those who want to be good citizens," said Dan Pearson, executive director of the TNRCC. "Amnesty is much better in achieving long-term compliance than an adversarial approach."

The amnesty program may save some businesses thousands of dollars in penalties and consultant fees. In addition, business owners will learn ways to make their operations cleaner and cheaper while having a positive effect on the environment.

To qualify for amnesty, a business must have 100 or fewer employees and be independently owned and operated. Businesses in need of more information can call the TNRCC's Small Business Assistance Program (SBAP) at (800) 447-2827. All calls are confidential. □

DID YOU KNOW THAT...

Small businesses employ 54 percent of the private workforce, contribute 52 percent of all sales in the country, and are responsible for 50 percent of the gross domestic product—**White House Conference on Small Business**.

Small-business-dominated industries produced an estimated 62 percent of the 3.3 million new jobs created during 1994—**White House Conference on Small Business**.

*Healthy Environment.
Strong Business.
Good Sense.*

From the Small Business Advocate...

When business people tell me that our Small Business Assistance Program (SBAP) is run more like a private business than a typical government office, I must admit I consider it a compliment.

There is a lot to be learned from the private sector about managing a state office. Private businesses prefer a lean and efficient operation with good customer service. State government is moving in that same direction. If you look closely, you will notice many state agencies use private business practices in their day-to-day operations such as Management by Objectives, the Seven Habits of Successful People, and Writing That Speaks.

The latest business adaptation in state government is called **leveraging**. What is leveraging? Leveraging allows us to accomplish more with our limited resources by forming partnerships with other organizations.

As budgets get tighter and funding scarcer, government agencies are finding the value of leveraging with the business sector. The results produce mutual benefits for those involved.

A prime example of leveraging is the SBAP's Texas EnviroMentor program. Using a cadre of professional volunteers, assistance is provided to hundreds of small businesses statewide.

In another example, chemical suppliers in Houston and Dallas joined hands with the SBAP and sponsored a series of metal finishers workshops. Chemical suppliers funded the workshop as part of their commitment to quality customer service. In turn, the SBAP provided technical assistance to a new segment of the regulated community.

The SBAP is working on some new partnerships with other organizations and institutions such as training and site assistance projects with the Texas Manufacturing Assistance Center, finance and marketing options with the Texas Department of Commerce, and environmental compliance workshops with the Dallas Small Business Development Center.

If you would like to develop a working partnership with the SBAP, please give us a call. □



*Did you know that the TNRCC has 24-hour
Emergency Spill Reporting Number?
You can call toll free 24-hours a day: 1-800-832-8224*

Plain Language

Have you ever received a government document in the mail and found after reading it half way that you do not understand any of it? It happens all the time. It is annoying and frustrating. But now there may be hope for plain language in government communications.

The Small Business Assistance Program (SBAP) of the Texas Natural Resource Conservation Commission (TNRCC) adopted a Plain Language Policy, which ensures that all information intended for small businesses is written in easy-to-understand language. A computer program measures the complexity of the vocabulary in each document.

Then, borrowing a page from the private sector, the SBAP tests its materials for better customer service. Who better to judge the usefulness and readability of printed materials than the customers. A statewide Plain Language Committee regularly reviews printed materials. Since September 1995, the committee has reviewed and commented on 19 documents. The SBAP's goal is for all written materials to be understandable on the first reading. Businesses should not have to regularly call TNRCC or consultants to clarify information.

Plain language materials have resulted in fewer phone calls and confusion and a better understanding of environmental rules by small businesses. For example, there are about 1,000 pages of waste regulations that could apply to dry cleaners. The plain language process condensed the information dry cleaners need to know into 8 pages!

Business people on the Plain Language Committee acknowledge

(continued on Page 3)

REGULATORY UPDATE

Kerry Drake, Manager, Technical Assistance

Consumer products manufacturers get cost break. Small producers of consumer products will now find it cheaper to comply with environmental regulations.

Present rules require small producers of consumer products such as windshield wiper fluid, certain cosmetics, and deodorants to date-stamp each batch they produce. Initial compliance cost with this rule runs \$10,000 to \$15,000 per stamping machine. Costs per batch also run between \$200 to \$400.

The new rule, developed with the assistance of the SBAP, will completely eliminate the stamping process and allow businesses to comply by simply printing that "This product was produced in compliance with State of Texas laws." The business will save the initial cost of the equipment and the constant cost per batch.

Perc dry cleaners face deadline. Perc dry cleaners face a critical compliance deadline in September. Most perc dry cleaners' machines are required to have a device installed to control air emissions. September 22, 1996, is the deadline to have devices installed, and a final compliance report must be sent to the EPA by October 23, 1996. These steps are part of the National Emission Standard for Perchloroethylene Dry Cleaning Facilities.

New rule will affect outdoor burning
Changes in the state's outdoor burning rule will allow more flexibility for prescribed burns and also move authority and notification to the local regions.

Emission study under way. An Emission Inventory study is under way to develop emission factors that are more in line with Texas emission figures. The study, funded by EPA, will review emissions from gasoline stations, printers, and degreasing operations. The results of the study could ease permitting, reporting, and fee requirements for these industries.

TNRCC seeks delegation. TNRCC has begun the process for seeking delegation of the Maximum Achievable Control Technology (MACT) standards that EPA has developed for several industries. Small businesses that have been impacted already are dry cleaners, chrome platers, and small gasoline distributors. Delegation will mean that TNRCC will acquire the responsibility for implementing the MACT standards.

Rules under development. The Small Business Assistance Program (SBAP) is soliciting input from businesses that manufacture wood products to help the agency develop a standard exemption from air permitting procedures. SBAP is coordinating the development of the standard exemption that will reduce paperwork and reporting requirements as long as the businesses follow several prescribed pollution reduction measures. Meetings with businesses have been held in Dallas, Houston, and San Antonio to explore the issues that might need to be addressed. For more information on

the current status of the standard exemption, contact the Small Business Assistance Program at (800) 447-2827.

Comfort heaters will use cheaper fuel. A standard exemption for comfort heaters also under development will allow for a safe grade of used oil to be used as fuel for the heaters. The change would reduce the amount of used oil that is disposed of and provide cheaper alternative fuels for heating.

Rules up for consideration. The TNRCC is expected to adopt in mid-May the standard exemption package, which includes an exemption for solvent recovery units. This exemption would eliminate the permitting process for thousands of existing solvent recovery units used for recycling common solvents that emit minimal amounts of air pollution.

Upcoming compliance requirements In November of 1996, woodcoating businesses located in ozone non-attainment areas will be required to use low-VOC coatings in their operations. □

Plain Language (continued) —

the value of reviewing the documents. Paul Lasiter of Jarvis Press Inc., and a Dallas member of the Plain Language Committee, says if they do not understand a document, chances are good other small business people will not understand it either.

Plain language is slowly gaining momentum in Texas and other states. The name of the process may be different, such as **User Friendly Language** or **Plain English**, but the goal remains basically the same: to make government information easy to understand.

For more information on plain language, contact the Small Business Assistance Program. □

Rule Compliance Reminder

Do you use either a Batch Vapor, In-line, or Batch Cold Cleaning Machine that uses 5 percent or more by weight of any of the following solvents?

- ◆ Methylene Chloride
- ◆ Perchloroethylene
- ◆ Trichloroethylene
- ◆ 1,1,1-Trichloroethane
- ◆ Carbon Tetrachloride
- ◆ Chloroform

EPA requires that all users of these cleaning machines submit an Initial Notification Report to EPA.

The Small Business Assistance Program is here to help you understand how these rules will affect your small business and to help you find alternatives to your solvents.

For additional information and a copy of the initial notification form, call the Small Business Assistance Program at (800) 447-2827. All calls are free and confidential. □

Study Shows Remote Sensing Effective Tool for Cutting Smog

A California study bolsters Texas' plan to use remote sensing of vehicle emissions for reducing air pollution. The study proves that remote sensing technology is one of the most cost-effective tools available for cutting smog.

During two weeks in May, officials of the South Coast Air Quality Management District measured tailpipe emission of 39,000 vehicles as they drove by two remote sensing sites in Costa Mesa and Santa Ana. Up to 8 percent of vehicles measured remotely were found to be high polluters, with tailpipe emissions far exceeding state air quality standards.

Six hundred of the high polluters were asked to pull over for further testing. A quick check revealed that up to 28 percent of vehicles inspected at the sites had been tampered with, resulting in high emissions. Even including the cost of remote sensing—about \$1 per car—repairing high-polluters compares favorably to many traditional methods of reducing vehicle pollution.

According to Air Quality Management District officials, the study gives them one more tool to tackle the number-one source of air pollution—motor vehicles. The study supports previous research showing that a minority of old, poorly maintained, or tampered cars and pickups are responsible for the majority of vehicle air pollution.

The use of remote sensing has been incorporated into currently proposed revisions for Texas' Inspection/Maintenance (I/M) State Implementation Plan (SIP). These revisions to the I/M SIP have yet to be approved by the US Environmental Protection Agency (EPA). Nonetheless, the plan calls for periodic emissions testing to be incorporated with the annual safety inspection process for vehicles registered in Dallas, Tarrant, Harris, and El Paso counties. The plan also calls for remote sensing to be used in these counties to identify vehicles that have a high probability of being gross polluters. These vehicles would then be required to have a follow-up emissions test at an inspection station licensed by the Texas Department of Public Safety. Vehicles that fail this follow-up test would be required to have repairs and a retest, just as with the current annual inspection process.

One of the primary uses of remote sensing will be to identify high-emitting vehicles commuting into Dallas, Tarrant, and Harris counties from surrounding areas. Commuting vehicles have been included in this process to comply with the 1990 Federal Clean Air Act Amendments. □

TNRCC Joins World Wide Web

TNRCC's new World Wide Web server is online. This server is designated for TNRCC's external customers to access the agency's home page and related information.

The external server's address is:

<http://www.tnrcc.state.tx.us>

The agency's home page is one way of accessing the Small Business Assistance Program (SBAP). You can also go directly to the SBAP page at:

http://www.tnrcc.state.tx.us/exec/small_business

Once you've accessed the SBAP home page, there is a brief overview of the services provided by the program. Online users also can view a list of SBAP publications and projects.

- ◆ A Valuable Resource for You
- ◆ Emission Inventory Assistance
- ◆ Spray Booth Demonstration Project
- ◆ Minor Source Policy
- ◆ Penalty Payment
- ◆ Small Business Environmental Round Table
- ◆ And more

For additional information or a complete listing of publications and materials, contact the Small Business Assistance Program. □

Small Business Assistance Just a Phone Call Away

The Small Business Assistance Program (SBAP) provides hot line assistance to over 300 small businesses every month. A call is first answered by a receptionist, who forwards it to the person on hot line duty that day. The following call is typical.

Small Business Owner: *I own an auto body shop, and I just found out I may need an environmental permit. What do I need to do?*

SBAP: First of all, I just want to let you know that everything we discuss is confidential and not shared with the enforcement division of the agency. Now, tell me about your process, products, and equipment. Where are you located? How much paint and solvent do you use?

Small Business Owner: *I'm in Dallas. I paint about three cars a week, mostly from repairs. My equipment's old and so is my shop. I've been using low VOC paints if that's any consideration.*

SBAP: It sounds like you may be exempt from the permitting process because you do such a small amount of painting. From what you've told me, I think you qualify for Standard Exemption 124. You'll still need to make some modifications to your paint booth—for instance, installing a stack and using High Volume Low Pressure (HVLP) spray guns.

Small Business Owner: *What do I need to do to get this Standard Exemption 124?*

SBAP: I'll mail you an easy-to-read booklet that gives you step-by-step directions on how to fill out the paperwork for Standard Exemption 124. If you have any questions, call me back. If not, fill out the paperwork and mail it in.

All calls for assistance are answered within two working days. If the question requires more time for an answer, the caller will be notified by phone or mail acknowledging the call and explaining the additional time needed to answer the question. □

Cheaper Way to Spray Paint Vehicles

Auto body shops in Texas can now use auto spray painting equipment that reduces pollution and saves money for shop owners. TNRCC Commissioner Ralph Marquez held a press conference to announce a series of demonstrations of the low-cost paint booth and spraying equipment at the El Paso Independent School District Technical Center.

The project results from a \$40,000 grant by the U.S. Environmental Protection Agency and the Texas Natural Resource Conservation Commission. The grant also provided a paint solvent recycling machine and training for auto body painters.

Emissions and evaporation from body shops contribute to air pollution. Spray booths help auto body painters reduce air pollution and improve air quality. The low-cost booth used in the demonstration provides a more affordable way for paint shop owners and operators to meet these requirements.

For more information on the low-cost paint booth and spraying equipment, call the Small Business Assistance Program. □

Dates to Remember

◆ **August 20** – Dallas Small Business Advisory Committee meeting, 10:00 a.m. to 12:00 p.m., Greater Dallas Chamber of Commerce, 1201 Elm Street, Suite 2000, Dallas.

◆ **September 5** – Houston/Galveston Small Business Advisory Committee meeting, 10:00 a.m. to 12:00 p.m., Museum of Print History, 1324 West Clay Street, Houston.

◆ **September 12** – Golden Triangle Small Business Advisory Committee meeting, 12:00 p.m. to 2:00 p.m., Media Room, Jefferson County Airport, Beaumont.

◆ **September 25-26** – Border Workshop for Hazardous Substances in McAllen, location to be announced.

◆ **October 9** – Printing Industries Association meeting, 8:30 a.m. to 12:00 p.m., Tarrant County Junior College, 828 Harwood Road, Fort Worth.

◆ **October 9-10** – Border Workshop for Hazardous Substances in Brownsville, location to be announced.

◆ **October 10** – Printing Industries Association meeting, 8:30 a.m. to 12:00 p.m., PIA Texas, Headquarters Building, 910 West Mockingbird Lane, Dallas.

◆ **October 17-18** – Border Workshop for Hazardous Substances in Laredo, location to be announced.

◆ **October 29-30** – Border Workshop for Hazardous Substances in Del Rio, location to be announced

◆ **November 7-8** – Border Workshop for Hazardous Substances in El Paso, location to be announced

This is not a complete list of upcoming events. For more information on events of interest to you, please call the Small Business Assistance Program at (800) 447-2827 or (512)239-1066.

The Small Business Advocate is published quarterly by the Small Business Assistance Program. Comments or suggestions for future articles should be sent to:

The Small Business Advocate Editor
Small Business Assistance Program, MC 106
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

Toll Free
1-800-447-2827

Fax: 512-239-1065
(All calls are confidential)



The TNRCC is an equal opportunity/affirmative action employer. The agency does not allow discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation or veteran status. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the TNRCC at (512)239-0010, Fax 239-0055 or 1-800-RELAY-TX (TDD), or by writing P.O. Box 13087, Austin, TX 78711-3087.